



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

MEMO ENDORSED

May 12, 2017

BY EMAIL

The Honorable Valerie E. Caproni
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

USDC SDNY
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Re: *United States v. Joseph Percoco, et al.*, S1 16 Cr. 776 (VEC)

Dear Judge Caproni:

Yesterday afternoon, the grand jury returned Superseding Indictment S1 16 Cr. 776 in the captioned case. Enclosed is an electronic copy of the Superseding Indictment, as well as a document comparing the Superseding Indictment to the original Indictment.

The Government, with the consent of all defendants, respectfully requests that time be excluded until October 30, 2017 under the Speedy Trial Act for the same reasons set forth by the Court during the April 6, 2017 conference and in the Court's Order dated April 6, 2017. The parties also consent to defer arraignment on the Superseding Indictment until the next pretrial conference.

Not later than May 16, 2017, the Government must file this letter on ECF. Application to defer arraignment on the Superseding Indictment until the next pretrial conference is GRANTED. Pursuant to 18 U.S.C § 3161(h)(7)(A), the period of delay between May 12, 2017, and October 30, 2017, is excluded under the Speedy Trial Act. Given the complexity of this case, including the voluminous discovery that needs to be reviewed, the ends of justice served by allowing Defendants sufficient time to review discovery and to prepare for trial outweigh the public's and the Defendants' interests in a speedy trial.

SO ORDERED.

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

5/12/2017

Respectfully submitted,

JOON H. KIM
Acting United States Attorney

By: /s/
Janis Echenberg/Robert Boone/
David Zhou/Matthew Podolsky
Assistant United States Attorneys
(212) 637-2597/2208/2438/1947